

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 RANDY SCOTT MOODY,  
5 Plaintiff,

6 v.

7 MARILYNN ROBERGE MALERBA,  
8 Defendant.

Case No. 2:24-cv-02079-CDS-BNW

**ORDER**

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10 On November 7, 2024, Plaintiff filed his Complaint. ECF No. 1. The Court later screened  
11 and dismissed his Complaint pursuant to 28 U.S.C. § 1915(e)(2) and twice provided Plaintiff  
12 with a deadline to file an amended complaint. ECF Nos. 6 and 8. However, in screening his  
13 Complaint, the Court overlooked the fact that Plaintiff paid the filing fee. *See* ECF No. 1. As  
14 such, the Court lacked authority to screen and dismiss Plaintiff's Complaint.

15 **IT IS THEREFORE ORDERED** that the Court's Screening Order (ECF No. 6) and the  
16 Minute Order setting the amended complaint deadline (ECF No. 8) are **VACATED**.

17 **IT IS FURTHER ORDERED** that Plaintiff must serve Defendant with his Complaint  
18 (ECF No. 1) in accordance with Federal Rule of Civil Procedure 4(c).

19 **IT IS FURTHER ORDERED** that Plaintiff must serve Defendant by **June 11, 2025**.  
20 Failure to do so may result in a recommendation that his case be dismissed. *See* FED. R. CIV.  
21 P. 4(m).

22  
23 DATED this 13th day of March 2025.

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26 BREND A WEKSLER  
27 UNITED STATES MAGISTRATE JUDGE  
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